

NR 115 Comparison Document			
Issue	Current Law	2005 Hearing Draft	2007 Draft
Lot Sizes - Single Family	Sewered areas - 10,000 ft2 and 65 ft average width Unsewered areas - 20,000 ft2 and 100 ft average width	Same as Current Law	All newly created lots required to be 20,000 ft2 with a minimum width of 100 feet at the building setback and the ordinary high water mark.
Other Lot Sizes	Silent - DNR interpretation is all lots must meet minimum sewered/unsewered sizes	1. Commercial/Other - 20,000 ft2 with 100 ft width 2. Multifamily - sewered/unsewered distinction and additional proportional width and area requirements based on number of dwelling units 3. Campgrounds - 5 acres fro first 10 sites and additional proportional width and area requirements based on total number of sites	1. Commercial/Other - 20,000 ft2 with 100 ft width. 2. Multi family and campgrounds - the counties must set standards
Distance Structures Setback from the Water	1. 75 ft for all structures except boat hoists, piers and boathouses 2. No more than 35 ft in any 100 ft can be clear-cut	Buildings - 75ft and laundry list of specific exemptions listed below	Buildings and other structures - 75 ft List of specific exemptions - less specific and based reasons for the structure to be within setback - see below
Exempt or Permitted Structures	1. Piers, boat hoists and boathouses were exempt 2. Open sided structures exempted in statute - 1997	1. Utilities 2. Open sided structures 3. Fishing rafts 4. Antennas and satellite dishes 5. Walkways/stairways 6. Signs/flagpoles	1. Boathouses up to 250 square feet 2. Utilities 3. Open sided structures 4. Fishing rafts 5. Antennas and satellite dishes 6. Flagpoles

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Exempt or Permitted Structures Continued		<ul style="list-style-type: none"> 7. Fuel Systems 8. Fences 9. Roads, driveways and sidewalks 10. Improvement structures for water quality, erosion control and habitat 	<ul style="list-style-type: none"> 7. Water quality, habitat, erosion control, access and information structures with permits
Allowances for Reducing Building Setbacks	Unless an existing pattern of development exists - more detail was included in a model ordinance	<ul style="list-style-type: none"> 1. No compliant building location exists 2. 7,000 ft² minimum lot size 3. Setback could be reduced to 35 ft 4. Reduce to allow a 30 ft building envelope 5. Setback Averaging for lots with compliant building locations allowed 6. Mitigation standards must be met 	<ul style="list-style-type: none"> 1. Noncompliant building location exists 2. Removed minimum lot size requirement 3. Setback can be reduced to 50 ft 4. Reduce to allow a 30 ft building envelope 5. Setback Averaging for lots with compliant building locations is not allowed 6. Must meet impervious surface and mitigation standards
Building Allowances	50% rule Up to 50% of the structure's value may be replaced or structurally repaired over the lifetime of the structure	<ul style="list-style-type: none"> 1. Unlimited maintenance and repair 2. Replace in primary buffer if accidental destruction 3. Replacement in secondary buffer on foundation 4. Expansion allowed within limits found in tables 	<ul style="list-style-type: none"> 1. Unlimited maintenance and repair allowed 2. Replacement in primary if accidental destruction 3. Replacement in secondary buffer on foundation 4. Expansion if under the impervious surface cap 5. May enclose existing impervious surfaces - like patios 6. May replace existing impervious surfaces
Nonconforming Regulations Compared with the new Impervious Surface Cap	Nonconforming 50% rule See above	Nonconforming Regulations <ul style="list-style-type: none"> 1. Only used with existing structures 2. Based on square footage in tables 3. No impervious surface cap 	Impervious Surface Standard <ul style="list-style-type: none"> 1. New Structures - 10% mitigation trigger and 20% impervious surface cap 2. Existing Structures - 15% mitigation trigger and 20% impervious surface cap

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Height Restrictions	None	Not addressed	1. 35 ft for residential structures 2. county determination for industrial, commercial and agricultural
Land Disturbing Activities	DNR permit when and if Ch. 30 grading of more than 10,000 ft ² was triggered	1. Erosion control plan required 2. Shoreland buffer vegetation plan required 3. Wetland buffer (county option) 4. Permit for disturbing more than 2,000 ft ²	1. County must establish a permit system to control erosion and sedimentation 2. Exemption for DNR grading permits under Chap. 30 and NR 216 stormwater permits if the county chooses to exempt them
Mitigation	None	1. Must restore or maintain primary buffer in natural habitat 2. Other methods as required by the county	1. Contain/infiltrate average annual rainfall to the maximum extent practicable (DNR Tech. Standards) 2. Goal for runoff volumes is pre development equaling post development runoff 3. Restore or maintain primary buffer 4. One method may do all mitigation 5. County establishes proportionality
Comments and Questions			